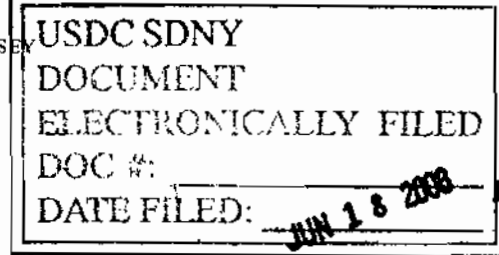


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June 17, 2008

BY FACSIMILE

Hon. George B. Daniels
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

SO ORDERED
The conference is adjourned
July 29, 2008 at 9:30a.m.
George B Daniels
HON. GEORGE B. DANIELS
JUN 18 2008

Re: *Capak v. LaSalle*, Case No. 08 CV 3165 (GBD)

Your Honor:

This office represents the plaintiff R.J. Capak in the above referenced lawsuit. Yesterday I made a telephone request to adjourn the Initial Scheduling Conference set for June 25, 2008 in accord with your Individual Practices, 1 E. This letter is provided pursuant to that request.

My daughter is graduating on June 25, 2008 and I am unable to attend. In addition, the Summons and Complaint are out for service on the defendants. There has been no prior request for this adjournment and issue has not yet been joined.

Should Your Honor grant this request, I will inform any of the intended defendants who may contact this office.

Thank you for your attention to his matter.

Respectfully submitted,

Nicholas A. Penkovsky
Nicholas A. Penkovsky